



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

SB2576

Introduced 1/20/2006, by Sen. Antonio Munoz

SYNOPSIS AS INTRODUCED:

| | |
|------------------------|---------------------------------|
| 40 ILCS 5/3-110.6 | from Ch. 108 1/2, par. 3-110.6 |
| 40 ILCS 5/5-236 | from Ch. 108 1/2, par. 5-236 |
| 40 ILCS 5/7-139.8 | from Ch. 108 1/2, par. 7-139.8 |
| 40 ILCS 5/9-121.10 | from Ch. 108 1/2, par. 9-121.10 |
| 40 ILCS 5/14-110 | from Ch. 108 1/2, par. 14-110 |
| 40 ILCS 5/14-152.2 new | |
| 40 ILCS 5/15-134.4 | from Ch. 108 1/2, par. 15-134.4 |
| 30 ILCS 805/8.30 new | |

Amends the Illinois Pension Code. Provides that an active member of the State Employees' Retirement System who is an alternative formula employee may transfer to that System up to 5 years of his or her creditable service accumulated for service in a police capacity under certain other Articles of the Code or for service for periods spent as a full-time law enforcement officer or full-time corrections officer employed by the federal government or by a state or local government located outside of Illinois. Provides for certain payments to establish the creditable service. Authorizes reinstatement of certain credits previously terminated by acceptance of a refund, upon repayment of the refund, plus interest. Contains language concerning new benefit increases. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB094 15547 AMC 50746 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT in relation to public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Sections 3-110.6, 5-236, 7-139.8, 9-121.10, 14-110, and
6 15-134.4 and by adding Section 14-152.2 as follows:

7 (40 ILCS 5/3-110.6) (from Ch. 108 1/2, par. 3-110.6)

8 Sec. 3-110.6. Transfer to Article 14 System.

9 (a) Any active member of the State Employees' Retirement
10 System who is an alternative formula employee under Section
11 14-110 ~~an investigator for the Office of the State's Attorneys~~
12 ~~Appellate Prosecutor or a controlled substance inspector~~ may
13 apply for transfer of some or all of his or her creditable
14 service accumulated in any police pension fund under this
15 Article to the State Employees' Retirement System in accordance
16 with Section 14-110. The creditable service shall be
17 transferred only upon payment by the police pension fund to the
18 State Employees' Retirement System of an amount equal to:

19 (1) the amounts accumulated to the credit of the
20 applicant for the service to be transferred on the books of
21 the fund on the date of transfer; and

22 (2) employer contributions in an amount equal to the
23 amount determined under subparagraph (1); and

24 (3) any interest paid by the applicant in order to
25 reinstate service to be transferred.

26 Participation in the police pension fund with respect to the
27 service to be transferred shall terminate on the date of
28 transfer.

29 (b) Any person applying to transfer service under this
30 Section ~~such investigator or inspector~~ may reinstate service
31 that ~~which~~ was terminated by receipt of a refund, by paying to
32 the police pension fund the amount of the refund with interest

1 thereon at the rate of 6% per year, compounded annually, from
2 the date of refund to the date of payment.

3 (Source: P.A. 90-32, eff. 6-27-97.)

4 (40 ILCS 5/5-236) (from Ch. 108 1/2, par. 5-236)

5 Sec. 5-236. Transfer to Article 14.

6 (a) ~~Until January 31, 1994,~~ Any active member of the State
7 Employees' Retirement System who is an alternative formula
8 employee under Section 14-110 ~~a State policeman or investigator~~
9 ~~for the Secretary of State~~ may apply for transfer of some or
10 all of his or her creditable service accumulated under this
11 Article to the State Employees' Retirement System in accordance
12 with Section 14-110. At the time of the transfer the Fund shall
13 pay to the State Employees' Retirement System an amount equal
14 to:

15 (1) the amounts accumulated to the credit of the
16 applicant for the service to be transferred on the books of
17 the Fund on the date of transfer; and

18 (2) the corresponding municipality credits, including
19 interest, on the books of the Fund on the date of transfer;
20 and

21 (3) any interest paid by the applicant in order to
22 reinstate service to be transferred.

23 Participation in this Fund with respect to the service to be
24 transferred shall terminate on the date of transfer.

25 (b) ~~Until January 31, 1994,~~ Any such alternative formula
26 employee ~~State policeman or investigator for the Secretary of~~
27 ~~State~~ may reinstate service that was terminated by receipt of a
28 refund, by paying to the Fund the amount of the refund with
29 interest thereon at the rate of 6% per year, compounded
30 annually, from the date of refund to the date of payment.

31 (c) Within 30 days after the effective date of this
32 amendatory Act of 1993, any active member of the State
33 Employees' Retirement System who was earning eligible
34 creditable service under subdivision (b)(12) of Section 14-110
35 on January 1, 1992 and who has at least 17 years of creditable

1 service under this Article may apply for transfer of his
2 creditable service accumulated under this Article to the State
3 Employees' Retirement System. At the time of the transfer the
4 Fund shall pay to the State Employees' Retirement System an
5 amount equal to:

6 (1) the amounts accumulated to the credit of the
7 applicant on the books of the Fund on the date of transfer;
8 and

9 (2) the corresponding municipality credits, including
10 interest, on the books of the Fund on the date of transfer.
11 Participation in this Fund shall terminate on the date of
12 transfer.

13 (Source: P.A. 86-1488; 87-1265.)

14 (40 ILCS 5/7-139.8) (from Ch. 108 1/2, par. 7-139.8)

15 Sec. 7-139.8. Transfer to Article 14 System.

16 (a) Any active member of the State Employees' Retirement
17 System who is an alternative formula employee under Section
18 14-110 ~~investigator for the Office of the State's Attorneys~~
19 ~~Appellate Prosecutor or a controlled substance inspector~~ may
20 apply for transfer of some or all of his or her credits and
21 creditable service accumulated in this Fund for service as a
22 sheriff's law enforcement employee to the State Employees'
23 Retirement System in accordance with Section 14-110. The
24 creditable service shall be transferred only upon payment by
25 this Fund to the State Employees' Retirement System of an
26 amount equal to:

27 (1) the amounts accumulated to the credit of the
28 applicant for the service to be transferred ~~as a sheriff's~~
29 ~~law enforcement employee~~, including interest; and

30 (2) municipality credits based on such service,
31 including interest; and

32 (3) any interest paid by the applicant to reinstate
33 such service.

34 Participation in this Fund as to any credits transferred under
35 this Section shall terminate on the date of transfer.

1 (b) Any person applying to transfer service under this
2 Section ~~such investigator or inspector~~ may reinstate credits
3 and creditable service terminated upon receipt of a separation
4 benefit, by paying to the Fund the amount of the separation
5 benefit plus interest thereon at the rate of 6% per year to the
6 date of payment.

7 (Source: P.A. 90-32, eff. 6-27-97.)

8 (40 ILCS 5/9-121.10) (from Ch. 108 1/2, par. 9-121.10)

9 Sec. 9-121.10. Transfer to Article 14.

10 (a) ~~Until July 1, 1993,~~ Any active member of the State
11 Employees' Retirement System who is an alternative formula
12 employee under Section 14-110 ~~a State policeman~~ may apply for
13 transfer of some or all of his creditable service as a member
14 of the County Police Department accumulated under this Article
15 to the State Employees' Retirement System in accordance with
16 Section 14-110. At the time of the transfer the Fund shall pay
17 to the State Employees' Retirement System an amount equal to:

18 (1) the amounts accumulated to the credit of the
19 applicant on the books of the Fund on the date of transfer
20 for the service to be transferred; and

21 (2) the corresponding municipality credits, including
22 interest, on the books of the Fund on the date of transfer;
23 and

24 (3) any interest paid by the applicant in order to
25 reinstate such service.

26 Participation in this Fund with respect to the credits
27 transferred shall terminate on the date of transfer.

28 (b) Any person applying to transfer service under this
29 Section ~~Until July 1, 1993, any such State policeman~~ may
30 reinstate credit for service as a member of the County Police
31 Department that was terminated by receipt of a refund, by
32 paying to the Fund the amount of the refund with interest
33 thereon at the rate of 6% per year, compounded annually, from
34 the date of refund to the date of payment.

35 (Source: P.A. 87-1265.)

1 (40 ILCS 5/14-110) (from Ch. 108 1/2, par. 14-110)

2 (Text of Section before amendment by P.A. 94-696)

3 Sec. 14-110. Alternative retirement annuity.

4 (a) Any member who has withdrawn from service with not less
5 than 20 years of eligible creditable service and has attained
6 age 55, and any member who has withdrawn from service with not
7 less than 25 years of eligible creditable service and has
8 attained age 50, regardless of whether the attainment of either
9 of the specified ages occurs while the member is still in
10 service, shall be entitled to receive at the option of the
11 member, in lieu of the regular or minimum retirement annuity, a
12 retirement annuity computed as follows:

13 (i) for periods of service as a noncovered employee: if
14 retirement occurs on or after January 1, 2001, 3% of final
15 average compensation for each year of creditable service;
16 if retirement occurs before January 1, 2001, 2 1/4% of
17 final average compensation for each of the first 10 years
18 of creditable service, 2 1/2% for each year above 10 years
19 to and including 20 years of creditable service, and 2 3/4%
20 for each year of creditable service above 20 years; and

21 (ii) for periods of eligible creditable service as a
22 covered employee: if retirement occurs on or after January
23 1, 2001, 2.5% of final average compensation for each year
24 of creditable service; if retirement occurs before January
25 1, 2001, 1.67% of final average compensation for each of
26 the first 10 years of such service, 1.90% for each of the
27 next 10 years of such service, 2.10% for each year of such
28 service in excess of 20 but not exceeding 30, and 2.30% for
29 each year in excess of 30.

30 Such annuity shall be subject to a maximum of 75% of final
31 average compensation if retirement occurs before January 1,
32 2001 or to a maximum of 80% of final average compensation if
33 retirement occurs on or after January 1, 2001.

34 These rates shall not be applicable to any service
35 performed by a member as a covered employee which is not

1 eligible creditable service. Service as a covered employee
2 which is not eligible creditable service shall be subject to
3 the rates and provisions of Section 14-108.

4 (b) For the purpose of this Section, "eligible creditable
5 service" means creditable service resulting from service in one
6 or more of the following positions:

7 (1) State policeman;

8 (2) fire fighter in the fire protection service of a
9 department;

10 (3) air pilot;

11 (4) special agent;

12 (5) investigator for the Secretary of State;

13 (6) conservation police officer;

14 (7) investigator for the Department of Revenue;

15 (8) security employee of the Department of Human
16 Services;

17 (9) Central Management Services security police
18 officer;

19 (10) security employee of the Department of
20 Corrections;

21 (11) dangerous drugs investigator;

22 (12) investigator for the Department of State Police;

23 (13) investigator for the Office of the Attorney
24 General;

25 (14) controlled substance inspector;

26 (15) investigator for the Office of the State's
27 Attorneys Appellate Prosecutor;

28 (16) Commerce Commission police officer;

29 (17) arson investigator;

30 (18) State highway maintenance worker.

31 A person employed in one of the positions specified in this
32 subsection is entitled to eligible creditable service for
33 service credit earned under this Article while undergoing the
34 basic police training course approved by the Illinois Law
35 Enforcement Training Standards Board, if completion of that
36 training is required of persons serving in that position. For

1 the purposes of this Code, service during the required basic
2 police training course shall be deemed performance of the
3 duties of the specified position, even though the person is not
4 a sworn peace officer at the time of the training.

5 (c) For the purposes of this Section:

6 (1) The term "state policeman" includes any title or
7 position in the Department of State Police that is held by
8 an individual employed under the State Police Act.

9 (2) The term "fire fighter in the fire protection
10 service of a department" includes all officers in such fire
11 protection service including fire chiefs and assistant
12 fire chiefs.

13 (3) The term "air pilot" includes any employee whose
14 official job description on file in the Department of
15 Central Management Services, or in the department by which
16 he is employed if that department is not covered by the
17 Personnel Code, states that his principal duty is the
18 operation of aircraft, and who possesses a pilot's license;
19 however, the change in this definition made by this
20 amendatory Act of 1983 shall not operate to exclude any
21 noncovered employee who was an "air pilot" for the purposes
22 of this Section on January 1, 1984.

23 (4) The term "special agent" means any person who by
24 reason of employment by the Division of Narcotic Control,
25 the Bureau of Investigation or, after July 1, 1977, the
26 Division of Criminal Investigation, the Division of
27 Internal Investigation, the Division of Operations, or any
28 other Division or organizational entity in the Department
29 of State Police is vested by law with duties to maintain
30 public order, investigate violations of the criminal law of
31 this State, enforce the laws of this State, make arrests
32 and recover property. The term "special agent" includes any
33 title or position in the Department of State Police that is
34 held by an individual employed under the State Police Act.

35 (5) The term "investigator for the Secretary of State"
36 means any person employed by the Office of the Secretary of

1 State and vested with such investigative duties as render
2 him ineligible for coverage under the Social Security Act
3 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
4 218(1)(1) of that Act.

5 A person who became employed as an investigator for the
6 Secretary of State between January 1, 1967 and December 31,
7 1975, and who has served as such until attainment of age
8 60, either continuously or with a single break in service
9 of not more than 3 years duration, which break terminated
10 before January 1, 1976, shall be entitled to have his
11 retirement annuity calculated in accordance with
12 subsection (a), notwithstanding that he has less than 20
13 years of credit for such service.

14 (6) The term "Conservation Police Officer" means any
15 person employed by the Division of Law Enforcement of the
16 Department of Natural Resources and vested with such law
17 enforcement duties as render him ineligible for coverage
18 under the Social Security Act by reason of Sections
19 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
20 term "Conservation Police Officer" includes the positions
21 of Chief Conservation Police Administrator and Assistant
22 Conservation Police Administrator.

23 (7) The term "investigator for the Department of
24 Revenue" means any person employed by the Department of
25 Revenue and vested with such investigative duties as render
26 him ineligible for coverage under the Social Security Act
27 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
28 218(1)(1) of that Act.

29 (8) The term "security employee of the Department of
30 Human Services" means any person employed by the Department
31 of Human Services who (i) is employed at the Chester Mental
32 Health Center and has daily contact with the residents
33 thereof, (ii) is employed within a security unit at a
34 facility operated by the Department and has daily contact
35 with the residents of the security unit, (iii) is employed
36 at a facility operated by the Department that includes a

1 security unit and is regularly scheduled to work at least
2 50% of his or her working hours within that security unit,
3 or (iv) is a mental health police officer. "Mental health
4 police officer" means any person employed by the Department
5 of Human Services in a position pertaining to the
6 Department's mental health and developmental disabilities
7 functions who is vested with such law enforcement duties as
8 render the person ineligible for coverage under the Social
9 Security Act by reason of Sections 218(d)(5)(A),
10 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
11 means that portion of a facility that is devoted to the
12 care, containment, and treatment of persons committed to
13 the Department of Human Services as sexually violent
14 persons, persons unfit to stand trial, or persons not
15 guilty by reason of insanity. With respect to past
16 employment, references to the Department of Human Services
17 include its predecessor, the Department of Mental Health
18 and Developmental Disabilities.

19 The changes made to this subdivision (c)(8) by Public
20 Act 92-14 apply to persons who retire on or after January
21 1, 2001, notwithstanding Section 1-103.1.

22 (9) "Central Management Services security police
23 officer" means any person employed by the Department of
24 Central Management Services who is vested with such law
25 enforcement duties as render him ineligible for coverage
26 under the Social Security Act by reason of Sections
27 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

28 (10) For a member who first became an employee under
29 this Article before July 1, 2005, the term "security
30 employee of the Department of Corrections" means any
31 employee of the Department of Corrections or the former
32 Department of Personnel, and any member or employee of the
33 Prisoner Review Board, who has daily contact with inmates
34 by working within a correctional facility or who is a
35 parole officer or an employee who has direct contact with
36 committed persons in the performance of his or her job

1 duties. For a member who first becomes an employee under
2 this Article on or after July 1, 2005, the term means an
3 employee of the Department of Corrections who is any of the
4 following: (i) officially headquartered at a correctional
5 facility, (ii) a parole officer, (iii) a member of the
6 apprehension unit, (iv) a member of the intelligence unit,
7 (v) a member of the sort team, or (vi) an investigator.

8 (11) The term "dangerous drugs investigator" means any
9 person who is employed as such by the Department of Human
10 Services.

11 (12) The term "investigator for the Department of State
12 Police" means a person employed by the Department of State
13 Police who is vested under Section 4 of the Narcotic
14 Control Division Abolition Act with such law enforcement
15 powers as render him ineligible for coverage under the
16 Social Security Act by reason of Sections 218(d)(5)(A),
17 218(d)(8)(D) and 218(1)(1) of that Act.

18 (13) "Investigator for the Office of the Attorney
19 General" means any person who is employed as such by the
20 Office of the Attorney General and is vested with such
21 investigative duties as render him ineligible for coverage
22 under the Social Security Act by reason of Sections
23 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
24 the period before January 1, 1989, the term includes all
25 persons who were employed as investigators by the Office of
26 the Attorney General, without regard to social security
27 status.

28 (14) "Controlled substance inspector" means any person
29 who is employed as such by the Department of Professional
30 Regulation and is vested with such law enforcement duties
31 as render him ineligible for coverage under the Social
32 Security Act by reason of Sections 218(d)(5)(A),
33 218(d)(8)(D) and 218(1)(1) of that Act. The term
34 "controlled substance inspector" includes the Program
35 Executive of Enforcement and the Assistant Program
36 Executive of Enforcement.

1 (15) The term "investigator for the Office of the
2 State's Attorneys Appellate Prosecutor" means a person
3 employed in that capacity on a full time basis under the
4 authority of Section 7.06 of the State's Attorneys
5 Appellate Prosecutor's Act.

6 (16) "Commerce Commission police officer" means any
7 person employed by the Illinois Commerce Commission who is
8 vested with such law enforcement duties as render him
9 ineligible for coverage under the Social Security Act by
10 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
11 218(1)(1) of that Act.

12 (17) "Arson investigator" means any person who is
13 employed as such by the Office of the State Fire Marshal
14 and is vested with such law enforcement duties as render
15 the person ineligible for coverage under the Social
16 Security Act by reason of Sections 218(d)(5)(A),
17 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
18 employed as an arson investigator on January 1, 1995 and is
19 no longer in service but not yet receiving a retirement
20 annuity may convert his or her creditable service for
21 employment as an arson investigator into eligible
22 creditable service by paying to the System the difference
23 between the employee contributions actually paid for that
24 service and the amounts that would have been contributed if
25 the applicant were contributing at the rate applicable to
26 persons with the same social security status earning
27 eligible creditable service on the date of application.

28 (18) The term "State highway maintenance worker" means
29 a person who is either of the following:

30 (i) A person employed on a full-time basis by the
31 Illinois Department of Transportation in the position
32 of highway maintainer, highway maintenance lead
33 worker, highway maintenance lead/lead worker, heavy
34 construction equipment operator, power shovel
35 operator, or bridge mechanic; and whose principal
36 responsibility is to perform, on the roadway, the

1 actual maintenance necessary to keep the highways that
2 form a part of the State highway system in serviceable
3 condition for vehicular traffic.

4 (ii) A person employed on a full-time basis by the
5 Illinois State Toll Highway Authority in the position
6 of equipment operator/laborer H-4, equipment
7 operator/laborer H-6, welder H-4, welder H-6,
8 mechanical/electrical H-4, mechanical/electrical H-6,
9 water/sewer H-4, water/sewer H-6, sign maker/hanger
10 H-4, sign maker/hanger H-6, roadway lighting H-4,
11 roadway lighting H-6, structural H-4, structural H-6,
12 painter H-4, or painter H-6; and whose principal
13 responsibility is to perform, on the roadway, the
14 actual maintenance necessary to keep the Authority's
15 tollways in serviceable condition for vehicular
16 traffic.

17 (d) A security employee of the Department of Corrections,
18 and a security employee of the Department of Human Services who
19 is not a mental health police officer, shall not be eligible
20 for the alternative retirement annuity provided by this Section
21 unless he or she meets the following minimum age and service
22 requirements at the time of retirement:

23 (i) 25 years of eligible creditable service and age 55;

24 or

25 (ii) beginning January 1, 1987, 25 years of eligible
26 creditable service and age 54, or 24 years of eligible
27 creditable service and age 55; or

28 (iii) beginning January 1, 1988, 25 years of eligible
29 creditable service and age 53, or 23 years of eligible
30 creditable service and age 55; or

31 (iv) beginning January 1, 1989, 25 years of eligible
32 creditable service and age 52, or 22 years of eligible
33 creditable service and age 55; or

34 (v) beginning January 1, 1990, 25 years of eligible
35 creditable service and age 51, or 21 years of eligible
36 creditable service and age 55; or

1 (vi) beginning January 1, 1991, 25 years of eligible
2 creditable service and age 50, or 20 years of eligible
3 creditable service and age 55.

4 Persons who have service credit under Article 16 of this
5 Code for service as a security employee of the Department of
6 Corrections or the Department of Human Services in a position
7 requiring certification as a teacher may count such service
8 toward establishing their eligibility under the service
9 requirements of this Section; but such service may be used only
10 for establishing such eligibility, and not for the purpose of
11 increasing or calculating any benefit.

12 (e) If a member enters military service while working in a
13 position in which eligible creditable service may be earned,
14 and returns to State service in the same or another such
15 position, and fulfills in all other respects the conditions
16 prescribed in this Article for credit for military service,
17 such military service shall be credited as eligible creditable
18 service for the purposes of the retirement annuity prescribed
19 in this Section.

20 (f) For purposes of calculating retirement annuities under
21 this Section, periods of service rendered after December 31,
22 1968 and before October 1, 1975 as a covered employee in the
23 position of special agent, conservation police officer, mental
24 health police officer, or investigator for the Secretary of
25 State, shall be deemed to have been service as a noncovered
26 employee, provided that the employee pays to the System prior
27 to retirement an amount equal to (1) the difference between the
28 employee contributions that would have been required for such
29 service as a noncovered employee, and the amount of employee
30 contributions actually paid, plus (2) if payment is made after
31 July 31, 1987, regular interest on the amount specified in item
32 (1) from the date of service to the date of payment.

33 For purposes of calculating retirement annuities under
34 this Section, periods of service rendered after December 31,
35 1968 and before January 1, 1982 as a covered employee in the
36 position of investigator for the Department of Revenue shall be

1 deemed to have been service as a noncovered employee, provided
2 that the employee pays to the System prior to retirement an
3 amount equal to (1) the difference between the employee
4 contributions that would have been required for such service as
5 a noncovered employee, and the amount of employee contributions
6 actually paid, plus (2) if payment is made after January 1,
7 1990, regular interest on the amount specified in item (1) from
8 the date of service to the date of payment.

9 (g) A State policeman may elect, not later than January 1,
10 1990, to establish eligible creditable service for up to 10
11 years of his service as a policeman under Article 3, by filing
12 a written election with the Board, accompanied by payment of an
13 amount to be determined by the Board, equal to (i) the
14 difference between the amount of employee and employer
15 contributions transferred to the System under Section 3-110.5,
16 and the amounts that would have been contributed had such
17 contributions been made at the rates applicable to State
18 policemen, plus (ii) interest thereon at the effective rate for
19 each year, compounded annually, from the date of service to the
20 date of payment.

21 Subject to the limitation in subsection (i), a State
22 policeman may elect, not later than July 1, 1993, to establish
23 eligible creditable service for up to 10 years of his service
24 as a member of the County Police Department under Article 9, by
25 filing a written election with the Board, accompanied by
26 payment of an amount to be determined by the Board, equal to
27 (i) the difference between the amount of employee and employer
28 contributions transferred to the System under Section 9-121.10
29 and the amounts that would have been contributed had those
30 contributions been made at the rates applicable to State
31 policemen, plus (ii) interest thereon at the effective rate for
32 each year, compounded annually, from the date of service to the
33 date of payment.

34 (h) Subject to the limitation in subsection (i), a State
35 policeman or investigator for the Secretary of State may elect
36 to establish eligible creditable service for up to 12 years of

1 his service as a policeman under Article 5, by filing a written
2 election with the Board on or before January 31, 1992, and
3 paying to the System by January 31, 1994 an amount to be
4 determined by the Board, equal to (i) the difference between
5 the amount of employee and employer contributions transferred
6 to the System under Section 5-236, and the amounts that would
7 have been contributed had such contributions been made at the
8 rates applicable to State policemen, plus (ii) interest thereon
9 at the effective rate for each year, compounded annually, from
10 the date of service to the date of payment.

11 Subject to the limitation in subsection (i), a State
12 policeman, conservation police officer, or investigator for
13 the Secretary of State may elect to establish eligible
14 creditable service for up to 10 years of service as a sheriff's
15 law enforcement employee under Article 7, by filing a written
16 election with the Board on or before January 31, 1993, and
17 paying to the System by January 31, 1994 an amount to be
18 determined by the Board, equal to (i) the difference between
19 the amount of employee and employer contributions transferred
20 to the System under Section 7-139.7, and the amounts that would
21 have been contributed had such contributions been made at the
22 rates applicable to State policemen, plus (ii) interest thereon
23 at the effective rate for each year, compounded annually, from
24 the date of service to the date of payment.

25 (i) The total amount of eligible creditable service
26 established by any person under subsections (g), (h), (j), (k),
27 ~~and~~ (l), and (l-5) of this Section shall not exceed 12 years.

28 (j) Subject to the limitation in subsection (i), an
29 investigator for the Office of the State's Attorneys Appellate
30 Prosecutor or a controlled substance inspector may elect to
31 establish eligible creditable service for up to 10 years of his
32 service as a policeman under Article 3 or a sheriff's law
33 enforcement employee under Article 7, by filing a written
34 election with the Board, accompanied by payment of an amount to
35 be determined by the Board, equal to (1) the difference between
36 the amount of employee and employer contributions transferred

1 to the System under Section 3-110.6 or 7-139.8, and the amounts
2 that would have been contributed had such contributions been
3 made at the rates applicable to State policemen, plus (2)
4 interest thereon at the effective rate for each year,
5 compounded annually, from the date of service to the date of
6 payment.

7 (k) Subject to the limitation in subsection (i) of this
8 Section, an alternative formula employee may elect to establish
9 eligible creditable service for periods spent as a full-time
10 law enforcement officer or full-time corrections officer
11 employed by the federal government or by a state or local
12 government located outside of Illinois, for which credit is not
13 held in any other public employee pension fund or retirement
14 system. To obtain this credit, the applicant must file a
15 written application with the Board by March 31, 1998,
16 accompanied by evidence of eligibility acceptable to the Board
17 and payment of an amount to be determined by the Board, equal
18 to (1) employee contributions for the credit being established,
19 based upon the applicant's salary on the first day as an
20 alternative formula employee after the employment for which
21 credit is being established and the rates then applicable to
22 alternative formula employees, plus (2) an amount determined by
23 the Board to be the employer's normal cost of the benefits
24 accrued for the credit being established, plus (3) regular
25 interest on the amounts in items (1) and (2) from the first day
26 as an alternative formula employee after the employment for
27 which credit is being established to the date of payment.

28 (l) Subject to the limitation in subsection (i), a security
29 employee of the Department of Corrections may elect, not later
30 than July 1, 1998, to establish eligible creditable service for
31 up to 10 years of his or her service as a policeman under
32 Article 3, by filing a written election with the Board,
33 accompanied by payment of an amount to be determined by the
34 Board, equal to (i) the difference between the amount of
35 employee and employer contributions transferred to the System
36 under Section 3-110.5, and the amounts that would have been

1 contributed had such contributions been made at the rates
2 applicable to security employees of the Department of
3 Corrections, plus (ii) interest thereon at the effective rate
4 for each year, compounded annually, from the date of service to
5 the date of payment.

6 (1-5) Subject to the limitation in subsection (i), an
7 alternative formula employee may elect to establish eligible
8 creditable service for up to 5 years of service as follows:

9 (1) For service as a police officer under Article 3, a
10 policeman under Article 5, a sheriff's law enforcement
11 employee under Article 7, a member of the county police
12 department under Article 9, or a police officer under
13 Article 15, by filing a written election with the Board and
14 paying to the System an amount to be determined by the
15 Board, equal to (i) the difference between the amount of
16 employee and employer contributions transferred to the
17 System under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or
18 15-134.4 and the amounts that would have been contributed
19 had such contributions been made at the rates applicable to
20 State policemen, plus (ii) interest thereon at the
21 effective rate for each year, compounded annually, from the
22 date of service to the date of payment.

23 (2) For service for periods spent as a full-time law
24 enforcement officer or full-time corrections officer
25 employed by the federal government or by a state or local
26 government located outside of Illinois, for which credit is
27 not held in any other public employee pension fund or
28 retirement system by filing a written election with the
29 Board, accompanied by evidence of eligibility acceptable
30 to the Board and payment of an amount to be determined by
31 the Board, equal to (1) employee contributions for the
32 credit being established, based upon the applicant's
33 salary on the first day as an alternative formula employee
34 after the employment for which credit is being established
35 and the rates then applicable to alternative formula
36 employees, plus (2) an amount determined by the Board to be

1 the employer's normal cost of the benefits accrued for the
2 credit being established, plus (3) regular interest on the
3 amounts in items (1) and (2) from the first day as an
4 alternative formula employee after the employment for
5 which credit is being established to the date of payment.

6 (Source: P.A. 94-4, eff. 6-1-05.)

7 (Text of Section after amendment by P.A. 94-696)

8 Sec. 14-110. Alternative retirement annuity.

9 (a) Any member who has withdrawn from service with not less
10 than 20 years of eligible creditable service and has attained
11 age 55, and any member who has withdrawn from service with not
12 less than 25 years of eligible creditable service and has
13 attained age 50, regardless of whether the attainment of either
14 of the specified ages occurs while the member is still in
15 service, shall be entitled to receive at the option of the
16 member, in lieu of the regular or minimum retirement annuity, a
17 retirement annuity computed as follows:

18 (i) for periods of service as a noncovered employee: if
19 retirement occurs on or after January 1, 2001, 3% of final
20 average compensation for each year of creditable service;
21 if retirement occurs before January 1, 2001, 2 1/4% of
22 final average compensation for each of the first 10 years
23 of creditable service, 2 1/2% for each year above 10 years
24 to and including 20 years of creditable service, and 2 3/4%
25 for each year of creditable service above 20 years; and

26 (ii) for periods of eligible creditable service as a
27 covered employee: if retirement occurs on or after January
28 1, 2001, 2.5% of final average compensation for each year
29 of creditable service; if retirement occurs before January
30 1, 2001, 1.67% of final average compensation for each of
31 the first 10 years of such service, 1.90% for each of the
32 next 10 years of such service, 2.10% for each year of such
33 service in excess of 20 but not exceeding 30, and 2.30% for
34 each year in excess of 30.

35 Such annuity shall be subject to a maximum of 75% of final

1 average compensation if retirement occurs before January 1,
2 2001 or to a maximum of 80% of final average compensation if
3 retirement occurs on or after January 1, 2001.

4 These rates shall not be applicable to any service
5 performed by a member as a covered employee which is not
6 eligible creditable service. Service as a covered employee
7 which is not eligible creditable service shall be subject to
8 the rates and provisions of Section 14-108.

9 (b) For the purpose of this Section, "eligible creditable
10 service" means creditable service resulting from service in one
11 or more of the following positions:

- 12 (1) State policeman;
- 13 (2) fire fighter in the fire protection service of a
14 department;
- 15 (3) air pilot;
- 16 (4) special agent;
- 17 (5) investigator for the Secretary of State;
- 18 (6) conservation police officer;
- 19 (7) investigator for the Department of Revenue;
- 20 (8) security employee of the Department of Human
21 Services;
- 22 (9) Central Management Services security police
23 officer;
- 24 (10) security employee of the Department of
25 Corrections or the Department of Juvenile Justice;
- 26 (11) dangerous drugs investigator;
- 27 (12) investigator for the Department of State Police;
- 28 (13) investigator for the Office of the Attorney
29 General;
- 30 (14) controlled substance inspector;
- 31 (15) investigator for the Office of the State's
32 Attorneys Appellate Prosecutor;
- 33 (16) Commerce Commission police officer;
- 34 (17) arson investigator;
- 35 (18) State highway maintenance worker.

36 A person employed in one of the positions specified in this

1 subsection is entitled to eligible creditable service for
2 service credit earned under this Article while undergoing the
3 basic police training course approved by the Illinois Law
4 Enforcement Training Standards Board, if completion of that
5 training is required of persons serving in that position. For
6 the purposes of this Code, service during the required basic
7 police training course shall be deemed performance of the
8 duties of the specified position, even though the person is not
9 a sworn peace officer at the time of the training.

10 (c) For the purposes of this Section:

11 (1) The term "state policeman" includes any title or
12 position in the Department of State Police that is held by
13 an individual employed under the State Police Act.

14 (2) The term "fire fighter in the fire protection
15 service of a department" includes all officers in such fire
16 protection service including fire chiefs and assistant
17 fire chiefs.

18 (3) The term "air pilot" includes any employee whose
19 official job description on file in the Department of
20 Central Management Services, or in the department by which
21 he is employed if that department is not covered by the
22 Personnel Code, states that his principal duty is the
23 operation of aircraft, and who possesses a pilot's license;
24 however, the change in this definition made by this
25 amendatory Act of 1983 shall not operate to exclude any
26 noncovered employee who was an "air pilot" for the purposes
27 of this Section on January 1, 1984.

28 (4) The term "special agent" means any person who by
29 reason of employment by the Division of Narcotic Control,
30 the Bureau of Investigation or, after July 1, 1977, the
31 Division of Criminal Investigation, the Division of
32 Internal Investigation, the Division of Operations, or any
33 other Division or organizational entity in the Department
34 of State Police is vested by law with duties to maintain
35 public order, investigate violations of the criminal law of
36 this State, enforce the laws of this State, make arrests

1 and recover property. The term "special agent" includes any
2 title or position in the Department of State Police that is
3 held by an individual employed under the State Police Act.

4 (5) The term "investigator for the Secretary of State"
5 means any person employed by the Office of the Secretary of
6 State and vested with such investigative duties as render
7 him ineligible for coverage under the Social Security Act
8 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
9 218(1)(1) of that Act.

10 A person who became employed as an investigator for the
11 Secretary of State between January 1, 1967 and December 31,
12 1975, and who has served as such until attainment of age
13 60, either continuously or with a single break in service
14 of not more than 3 years duration, which break terminated
15 before January 1, 1976, shall be entitled to have his
16 retirement annuity calculated in accordance with
17 subsection (a), notwithstanding that he has less than 20
18 years of credit for such service.

19 (6) The term "Conservation Police Officer" means any
20 person employed by the Division of Law Enforcement of the
21 Department of Natural Resources and vested with such law
22 enforcement duties as render him ineligible for coverage
23 under the Social Security Act by reason of Sections
24 218(d)(5)(A), 218(d)(8)(D), and 218(1)(1) of that Act. The
25 term "Conservation Police Officer" includes the positions
26 of Chief Conservation Police Administrator and Assistant
27 Conservation Police Administrator.

28 (7) The term "investigator for the Department of
29 Revenue" means any person employed by the Department of
30 Revenue and vested with such investigative duties as render
31 him ineligible for coverage under the Social Security Act
32 by reason of Sections 218(d)(5)(A), 218(d)(8)(D) and
33 218(1)(1) of that Act.

34 (8) The term "security employee of the Department of
35 Human Services" means any person employed by the Department
36 of Human Services who (i) is employed at the Chester Mental

1 Health Center and has daily contact with the residents
2 thereof, (ii) is employed within a security unit at a
3 facility operated by the Department and has daily contact
4 with the residents of the security unit, (iii) is employed
5 at a facility operated by the Department that includes a
6 security unit and is regularly scheduled to work at least
7 50% of his or her working hours within that security unit,
8 or (iv) is a mental health police officer. "Mental health
9 police officer" means any person employed by the Department
10 of Human Services in a position pertaining to the
11 Department's mental health and developmental disabilities
12 functions who is vested with such law enforcement duties as
13 render the person ineligible for coverage under the Social
14 Security Act by reason of Sections 218(d)(5)(A),
15 218(d)(8)(D) and 218(1)(1) of that Act. "Security unit"
16 means that portion of a facility that is devoted to the
17 care, containment, and treatment of persons committed to
18 the Department of Human Services as sexually violent
19 persons, persons unfit to stand trial, or persons not
20 guilty by reason of insanity. With respect to past
21 employment, references to the Department of Human Services
22 include its predecessor, the Department of Mental Health
23 and Developmental Disabilities.

24 The changes made to this subdivision (c)(8) by Public
25 Act 92-14 apply to persons who retire on or after January
26 1, 2001, notwithstanding Section 1-103.1.

27 (9) "Central Management Services security police
28 officer" means any person employed by the Department of
29 Central Management Services who is vested with such law
30 enforcement duties as render him ineligible for coverage
31 under the Social Security Act by reason of Sections
32 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act.

33 (10) For a member who first became an employee under
34 this Article before July 1, 2005, the term "security
35 employee of the Department of Corrections or the Department
36 of Juvenile Justice" means any employee of the Department

1 of Corrections or the Department of Juvenile Justice or the
2 former Department of Personnel, and any member or employee
3 of the Prisoner Review Board, who has daily contact with
4 inmates or youth by working within a correctional facility
5 or Juvenile facility operated by the Department of Juvenile
6 Justice or who is a parole officer or an employee who has
7 direct contact with committed persons in the performance of
8 his or her job duties. For a member who first becomes an
9 employee under this Article on or after July 1, 2005, the
10 term means an employee of the Department of Corrections or
11 the Department of Juvenile Justice who is any of the
12 following: (i) officially headquartered at a correctional
13 facility or Juvenile facility operated by the Department of
14 Juvenile Justice, (ii) a parole officer, (iii) a member of
15 the apprehension unit, (iv) a member of the intelligence
16 unit, (v) a member of the sort team, or (vi) an
17 investigator.

18 (11) The term "dangerous drugs investigator" means any
19 person who is employed as such by the Department of Human
20 Services.

21 (12) The term "investigator for the Department of State
22 Police" means a person employed by the Department of State
23 Police who is vested under Section 4 of the Narcotic
24 Control Division Abolition Act with such law enforcement
25 powers as render him ineligible for coverage under the
26 Social Security Act by reason of Sections 218(d)(5)(A),
27 218(d)(8)(D) and 218(1)(1) of that Act.

28 (13) "Investigator for the Office of the Attorney
29 General" means any person who is employed as such by the
30 Office of the Attorney General and is vested with such
31 investigative duties as render him ineligible for coverage
32 under the Social Security Act by reason of Sections
33 218(d)(5)(A), 218(d)(8)(D) and 218(1)(1) of that Act. For
34 the period before January 1, 1989, the term includes all
35 persons who were employed as investigators by the Office of
36 the Attorney General, without regard to social security

1 status.

2 (14) "Controlled substance inspector" means any person
3 who is employed as such by the Department of Professional
4 Regulation and is vested with such law enforcement duties
5 as render him ineligible for coverage under the Social
6 Security Act by reason of Sections 218(d)(5)(A),
7 218(d)(8)(D) and 218(1)(1) of that Act. The term
8 "controlled substance inspector" includes the Program
9 Executive of Enforcement and the Assistant Program
10 Executive of Enforcement.

11 (15) The term "investigator for the Office of the
12 State's Attorneys Appellate Prosecutor" means a person
13 employed in that capacity on a full time basis under the
14 authority of Section 7.06 of the State's Attorneys
15 Appellate Prosecutor's Act.

16 (16) "Commerce Commission police officer" means any
17 person employed by the Illinois Commerce Commission who is
18 vested with such law enforcement duties as render him
19 ineligible for coverage under the Social Security Act by
20 reason of Sections 218(d)(5)(A), 218(d)(8)(D), and
21 218(1)(1) of that Act.

22 (17) "Arson investigator" means any person who is
23 employed as such by the Office of the State Fire Marshal
24 and is vested with such law enforcement duties as render
25 the person ineligible for coverage under the Social
26 Security Act by reason of Sections 218(d)(5)(A),
27 218(d)(8)(D), and 218(1)(1) of that Act. A person who was
28 employed as an arson investigator on January 1, 1995 and is
29 no longer in service but not yet receiving a retirement
30 annuity may convert his or her creditable service for
31 employment as an arson investigator into eligible
32 creditable service by paying to the System the difference
33 between the employee contributions actually paid for that
34 service and the amounts that would have been contributed if
35 the applicant were contributing at the rate applicable to
36 persons with the same social security status earning

1 eligible creditable service on the date of application.

2 (18) The term "State highway maintenance worker" means
3 a person who is either of the following:

4 (i) A person employed on a full-time basis by the
5 Illinois Department of Transportation in the position
6 of highway maintainer, highway maintenance lead
7 worker, highway maintenance lead/lead worker, heavy
8 construction equipment operator, power shovel
9 operator, or bridge mechanic; and whose principal
10 responsibility is to perform, on the roadway, the
11 actual maintenance necessary to keep the highways that
12 form a part of the State highway system in serviceable
13 condition for vehicular traffic.

14 (ii) A person employed on a full-time basis by the
15 Illinois State Toll Highway Authority in the position
16 of equipment operator/laborer H-4, equipment
17 operator/laborer H-6, welder H-4, welder H-6,
18 mechanical/electrical H-4, mechanical/electrical H-6,
19 water/sewer H-4, water/sewer H-6, sign maker/hanger
20 H-4, sign maker/hanger H-6, roadway lighting H-4,
21 roadway lighting H-6, structural H-4, structural H-6,
22 painter H-4, or painter H-6; and whose principal
23 responsibility is to perform, on the roadway, the
24 actual maintenance necessary to keep the Authority's
25 tollways in serviceable condition for vehicular
26 traffic.

27 (d) A security employee of the Department of Corrections or
28 the Department of Juvenile Justice, and a security employee of
29 the Department of Human Services who is not a mental health
30 police officer, shall not be eligible for the alternative
31 retirement annuity provided by this Section unless he or she
32 meets the following minimum age and service requirements at the
33 time of retirement:

34 (i) 25 years of eligible creditable service and age 55;

35 or

36 (ii) beginning January 1, 1987, 25 years of eligible

1 creditable service and age 54, or 24 years of eligible
2 creditable service and age 55; or

3 (iii) beginning January 1, 1988, 25 years of eligible
4 creditable service and age 53, or 23 years of eligible
5 creditable service and age 55; or

6 (iv) beginning January 1, 1989, 25 years of eligible
7 creditable service and age 52, or 22 years of eligible
8 creditable service and age 55; or

9 (v) beginning January 1, 1990, 25 years of eligible
10 creditable service and age 51, or 21 years of eligible
11 creditable service and age 55; or

12 (vi) beginning January 1, 1991, 25 years of eligible
13 creditable service and age 50, or 20 years of eligible
14 creditable service and age 55.

15 Persons who have service credit under Article 16 of this
16 Code for service as a security employee of the Department of
17 Corrections or the Department of Juvenile Justice, or the
18 Department of Human Services in a position requiring
19 certification as a teacher may count such service toward
20 establishing their eligibility under the service requirements
21 of this Section; but such service may be used only for
22 establishing such eligibility, and not for the purpose of
23 increasing or calculating any benefit.

24 (e) If a member enters military service while working in a
25 position in which eligible creditable service may be earned,
26 and returns to State service in the same or another such
27 position, and fulfills in all other respects the conditions
28 prescribed in this Article for credit for military service,
29 such military service shall be credited as eligible creditable
30 service for the purposes of the retirement annuity prescribed
31 in this Section.

32 (f) For purposes of calculating retirement annuities under
33 this Section, periods of service rendered after December 31,
34 1968 and before October 1, 1975 as a covered employee in the
35 position of special agent, conservation police officer, mental
36 health police officer, or investigator for the Secretary of

1 State, shall be deemed to have been service as a noncovered
2 employee, provided that the employee pays to the System prior
3 to retirement an amount equal to (1) the difference between the
4 employee contributions that would have been required for such
5 service as a noncovered employee, and the amount of employee
6 contributions actually paid, plus (2) if payment is made after
7 July 31, 1987, regular interest on the amount specified in item
8 (1) from the date of service to the date of payment.

9 For purposes of calculating retirement annuities under
10 this Section, periods of service rendered after December 31,
11 1968 and before January 1, 1982 as a covered employee in the
12 position of investigator for the Department of Revenue shall be
13 deemed to have been service as a noncovered employee, provided
14 that the employee pays to the System prior to retirement an
15 amount equal to (1) the difference between the employee
16 contributions that would have been required for such service as
17 a noncovered employee, and the amount of employee contributions
18 actually paid, plus (2) if payment is made after January 1,
19 1990, regular interest on the amount specified in item (1) from
20 the date of service to the date of payment.

21 (g) A State policeman may elect, not later than January 1,
22 1990, to establish eligible creditable service for up to 10
23 years of his service as a policeman under Article 3, by filing
24 a written election with the Board, accompanied by payment of an
25 amount to be determined by the Board, equal to (i) the
26 difference between the amount of employee and employer
27 contributions transferred to the System under Section 3-110.5,
28 and the amounts that would have been contributed had such
29 contributions been made at the rates applicable to State
30 policemen, plus (ii) interest thereon at the effective rate for
31 each year, compounded annually, from the date of service to the
32 date of payment.

33 Subject to the limitation in subsection (i), a State
34 policeman may elect, not later than July 1, 1993, to establish
35 eligible creditable service for up to 10 years of his service
36 as a member of the County Police Department under Article 9, by

1 filing a written election with the Board, accompanied by
2 payment of an amount to be determined by the Board, equal to
3 (i) the difference between the amount of employee and employer
4 contributions transferred to the System under Section 9-121.10
5 and the amounts that would have been contributed had those
6 contributions been made at the rates applicable to State
7 policemen, plus (ii) interest thereon at the effective rate for
8 each year, compounded annually, from the date of service to the
9 date of payment.

10 (h) Subject to the limitation in subsection (i), a State
11 policeman or investigator for the Secretary of State may elect
12 to establish eligible creditable service for up to 12 years of
13 his service as a policeman under Article 5, by filing a written
14 election with the Board on or before January 31, 1992, and
15 paying to the System by January 31, 1994 an amount to be
16 determined by the Board, equal to (i) the difference between
17 the amount of employee and employer contributions transferred
18 to the System under Section 5-236, and the amounts that would
19 have been contributed had such contributions been made at the
20 rates applicable to State policemen, plus (ii) interest thereon
21 at the effective rate for each year, compounded annually, from
22 the date of service to the date of payment.

23 Subject to the limitation in subsection (i), a State
24 policeman, conservation police officer, or investigator for
25 the Secretary of State may elect to establish eligible
26 creditable service for up to 10 years of service as a sheriff's
27 law enforcement employee under Article 7, by filing a written
28 election with the Board on or before January 31, 1993, and
29 paying to the System by January 31, 1994 an amount to be
30 determined by the Board, equal to (i) the difference between
31 the amount of employee and employer contributions transferred
32 to the System under Section 7-139.7, and the amounts that would
33 have been contributed had such contributions been made at the
34 rates applicable to State policemen, plus (ii) interest thereon
35 at the effective rate for each year, compounded annually, from
36 the date of service to the date of payment.

1 (i) The total amount of eligible creditable service
2 established by any person under subsections (g), (h), (j), (k),
3 ~~and~~ (1), and (1-5) of this Section shall not exceed 12 years.

4 (j) Subject to the limitation in subsection (i), an
5 investigator for the Office of the State's Attorneys Appellate
6 Prosecutor or a controlled substance inspector may elect to
7 establish eligible creditable service for up to 10 years of his
8 service as a policeman under Article 3 or a sheriff's law
9 enforcement employee under Article 7, by filing a written
10 election with the Board, accompanied by payment of an amount to
11 be determined by the Board, equal to (1) the difference between
12 the amount of employee and employer contributions transferred
13 to the System under Section 3-110.6 or 7-139.8, and the amounts
14 that would have been contributed had such contributions been
15 made at the rates applicable to State policemen, plus (2)
16 interest thereon at the effective rate for each year,
17 compounded annually, from the date of service to the date of
18 payment.

19 (k) Subject to the limitation in subsection (i) of this
20 Section, an alternative formula employee may elect to establish
21 eligible creditable service for periods spent as a full-time
22 law enforcement officer or full-time corrections officer
23 employed by the federal government or by a state or local
24 government located outside of Illinois, for which credit is not
25 held in any other public employee pension fund or retirement
26 system. To obtain this credit, the applicant must file a
27 written application with the Board by March 31, 1998,
28 accompanied by evidence of eligibility acceptable to the Board
29 and payment of an amount to be determined by the Board, equal
30 to (1) employee contributions for the credit being established,
31 based upon the applicant's salary on the first day as an
32 alternative formula employee after the employment for which
33 credit is being established and the rates then applicable to
34 alternative formula employees, plus (2) an amount determined by
35 the Board to be the employer's normal cost of the benefits
36 accrued for the credit being established, plus (3) regular

1 interest on the amounts in items (1) and (2) from the first day
2 as an alternative formula employee after the employment for
3 which credit is being established to the date of payment.

4 (1) Subject to the limitation in subsection (i), a security
5 employee of the Department of Corrections may elect, not later
6 than July 1, 1998, to establish eligible creditable service for
7 up to 10 years of his or her service as a policeman under
8 Article 3, by filing a written election with the Board,
9 accompanied by payment of an amount to be determined by the
10 Board, equal to (i) the difference between the amount of
11 employee and employer contributions transferred to the System
12 under Section 3-110.5, and the amounts that would have been
13 contributed had such contributions been made at the rates
14 applicable to security employees of the Department of
15 Corrections, plus (ii) interest thereon at the effective rate
16 for each year, compounded annually, from the date of service to
17 the date of payment.

18 (1-5) Subject to the limitation in subsection (i), an
19 alternative formula employee may elect to establish eligible
20 creditable service for up to 5 years of service as follows:

21 (1) For service as a police officer under Article 3, a
22 policeman under Article 5, a sheriff's law enforcement
23 employee under Article 7, a member of the county police
24 department under Article 9, or a police officer under
25 Article 15, by filing a written election with the Board and
26 paying to the System an amount to be determined by the
27 Board, equal to (i) the difference between the amount of
28 employee and employer contributions transferred to the
29 System under Section 3-110.6, 5-236, 7-139.8, 9-121.10, or
30 15-134.4 and the amounts that would have been contributed
31 had such contributions been made at the rates applicable to
32 State policemen, plus (ii) interest thereon at the
33 effective rate for each year, compounded annually, from the
34 date of service to the date of payment.

35 (2) For service for periods spent as a full-time law
36 enforcement officer or full-time corrections officer

1 employed by the federal government or by a state or local
2 government located outside of Illinois, for which credit is
3 not held in any other public employee pension fund or
4 retirement system by filing a written election with the
5 Board, accompanied by evidence of eligibility acceptable
6 to the Board and payment of an amount to be determined by
7 the Board, equal to (1) employee contributions for the
8 credit being established, based upon the applicant's
9 salary on the first day as an alternative formula employee
10 after the employment for which credit is being established
11 and the rates then applicable to alternative formula
12 employees, plus (2) an amount determined by the Board to be
13 the employer's normal cost of the benefits accrued for the
14 credit being established, plus (3) regular interest on the
15 amounts in items (1) and (2) from the first day as an
16 alternative formula employee after the employment for
17 which credit is being established to the date of payment.

18 (m) The amendatory changes to this Section made by this
19 amendatory Act of the 94th General Assembly apply only to: (1)
20 security employees of the Department of Juvenile Justice
21 employed by the Department of Corrections before the effective
22 date of this amendatory Act of the 94th General Assembly and
23 transferred to the Department of Juvenile Justice by this
24 amendatory Act of the 94th General Assembly; and (2) persons
25 employed by the Department of Juvenile Justice on or after the
26 effective date of this amendatory Act of the 94th General
27 Assembly who are required by subsection (b) of Section 3-2.5-15
28 of the Unified Code of Corrections to have a bachelor's or
29 advanced degree from an accredited college or university with a
30 specialization in criminal justice, education, psychology,
31 social work, or a closely related social science or, in the
32 case of persons who provide vocational training, who are
33 required to have adequate knowledge in the skill for which they
34 are providing the vocational training.

35 (Source: P.A. 94-4, eff. 6-1-05; 94-696, eff. 6-1-06.)

1 (40 ILCS 5/14-152.2 new)

2 Sec. 14-152.2. New benefit increases. The General Assembly
3 finds and declares that the amendment to Section 14-110 of this
4 Article made by this amendatory Act of the 94th General
5 Assembly concerning the establishment of eligible creditable
6 service under the alternative formula provisions for specified
7 police service constitutes a new benefit increase within the
8 meaning of Section 14-152.1. This new benefit increase expires
9 5 years after the effective date of this amendatory Act. No
10 additional funding under Section 14-152.1 for this new benefit
11 increase is required because the cost for the new benefit
12 increase is paid by the member as provided in this amendatory
13 Act.

14 (40 ILCS 5/15-134.4) (from Ch. 108 1/2, par. 15-134.4)

15 Sec. 15-134.4. Transfer of creditable service to the
16 Article 5 Pension Fund or Article 14 System.

17 (a) An active member of the Pension Fund established under
18 Article 5 of this Code may apply, not later than January 1,
19 1990, to transfer his or her credits and creditable service
20 accumulated under this System for service with the City
21 Colleges of Chicago teaching in the Criminal Justice Program,
22 to the Article 5 Fund. Such credits and creditable service
23 shall be transferred forthwith.

24 Payment by this System to the Article 5 Fund shall be made
25 at the same time and shall consist of:

26 (1) the amounts credited to the applicant for such
27 service through employee contributions, including
28 interest, as of the date of transfer; and

29 (2) employer contributions equal in amount to the
30 accumulated employee contributions as determined in item
31 (1).

32 Participation in this System with respect to such credits shall
33 terminate on the date of transfer.

34 (b) Any active member of the State Employees' Retirement
35 System who is an alternative formula employee may apply for

1 transfer of some or all of his or her creditable service
2 accumulated in this System for service as a police officer to
3 the State Employees' Retirement System in accordance with
4 Section 14-110. The creditable service shall be transferred
5 only upon payment by this System to the State Employees'
6 Retirement System of an amount equal to:

7 (1) the amounts accumulated to the credit of the
8 applicant for the service to be transferred, including
9 interest, as of the date of transfer; and

10 (2) employer contributions equal in amount to the
11 accumulated employee contributions as determined in item
12 (1); and

13 (3) any interest paid by the applicant to reinstate
14 such service.

15 Participation in this System as to any credits transferred
16 under this Section shall terminate on the date of transfer.

17 (c) Any person applying to transfer service under
18 subsection (b) may reinstate credits and creditable service
19 terminated upon receipt of a refund by paying to the System the
20 amount of the refund plus interest thereon at the rate of 6%
21 per year from the date of the refund to the date of payment.

22 (Source: P.A. 86-273; 86-1028.)

23 Section 90. The State Mandates Act is amended by adding
24 Section 8.30 as follows:

25 (30 ILCS 805/8.30 new)

26 Sec. 8.30. Exempt mandate. Notwithstanding Sections 6 and 8
27 of this Act, no reimbursement by the State is required for the
28 implementation of any mandate created by this amendatory Act of
29 the 94th General Assembly.

30 Section 95. No acceleration or delay. Where this Act makes
31 changes in a statute that is represented in this Act by text
32 that is not yet or no longer in effect (for example, a Section
33 represented by multiple versions), the use of that text does

1 not accelerate or delay the taking effect of (i) the changes
2 made by this Act or (ii) provisions derived from any other
3 Public Act.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.